

JOURNAL OF THE ASSEMBLY [January 9, 1980]

STATE OF WISCONSIN

# Assembly Journal

Eighty-Fourth Regular Session

WEDNESDAY, January 9, 1980.

The chief clerk makes the following entries under the above date:

## AMENDMENTS OFFERED

Assembly amendment 3 to **Assembly Joint Resolution 81** offered by Representative Klicka.

Assembly amendment 2 to **Assembly Bill 441** offered by Representative Hopkins.

Assembly substitute amendment 1 to **Assembly Bill 781** offered by Representatives Schneider and Wood.

Assembly substitute amendment 1 to **Assembly Bill 966** offered by committee on Energy.

Assembly substitute amendment 1 to **Assembly Bill 995** offered by Representative McClain.

Assembly amendment 1 to **Assembly Bill 1025** offered by Representative Lallensack.

Assembly amendment 1 to **Assembly Bill 1039** offered by Representative Wood.

Assembly amendment 3 to **Assembly Bill 1043** offered by Representative Ulichny.

Assembly substitute amendment 1 to **Assembly Bill 1065** offered by Representative Matty.

Assembly amendment 1 to **Assembly Bill 1087** offered by Representative Pabst.

Assembly amendment 1 to **Senate Bill 27** offered by Representatives Donoghue and Kincaid.

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Assembly substitute amendment 1 to **Senate Bill 77** offered by Representatives Rutkowski, Prosser, Hauke, McClain, Tesmer and Thompson.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

**Assembly Joint Resolution 100**

To amend section 8 of article I of the constitution, to remove the right to bail under certain circumstances (first consideration).

By Representatives Hauke, Barczak, Behnke and Andrea.

To committee on Criminal Justice and Public Safety.

**Assembly Bill 1116**

Relating to restricting ownership of short-barreled shotguns or short-barreled rifles, disposal of seized weapons and providing a penalty.

By Representatives Prosser, McClain, Thompson, Ferrall, Rutkowski, Donoghue and Robertson

To committee on Criminal Justice and Public Safety.

**Assembly Bill 1117**

Relating to agricultural statistics.

By Representative Porter.

To committee on Agriculture.

**Assembly Bill 1118**

Relating to conveying certain submerged lands to the city of Kewaunee.

By Representative Swoboda, co-sponsored by Senator Lasee, by request of city of Kewaunee.

To committee on State Affairs.

**Assembly Bill 1119**

Relating to eliminating license requirements for taxidermists, bait dealers, limburger cheesemakers, antifreeze dealers and Christmas tree dealers.

By Representative Lee.

To committee on Commerce and Consumer Affairs.

**Assembly Bill 1120**

Relating to a sales and use tax exemption on sales of sawdust.

By Representative Shoemaker.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 1121**

Relating to increasing reimbursement by the department of transportation to towns for fire calls on state trunk highways.

By Representative Shoemaker.

To committee on Local Affairs.

**Assembly Bill 1122**

Relating to authorization of county boards to manufacture, sell and distribute lime.

By Representative Shoemaker, by request of Thomas Eder, Elk Mound, WI.

To committee on Local Affairs.

**Assembly Bill 1123**

Relating to the exemption from the sales and use tax of agricultural supplies.

By Representative Shoemaker.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 1124**

Relating to voting by persons owning property within public inland lake protection and rehabilitation districts and providing for a referendum.

By Representatives Potter, Munts and Byers, co-sponsored by Senators Harnisch and Opitz.

To committee on Elections.

**Assembly Bill 1125**

Relating to amending the project plan of a city tax incremental district.

By Representative Wood.

To committee on Local Affairs.

**Assembly Bill 1126**

Relating to guardians for children.

By Representative Kincaid.

To committee on Health and Social Services.

**Assembly Bill 1127**

Relating to encouraging a juvenile delinquent to violate the terms or abscond from court ordered supervision and providing a penalty.

By Representatives Kincaid, Smith, Jackamonis, Gerlach, Ladwig, Omernick and Thompson, co-sponsored by Senator Krueger.

To committee on Criminal Justice and Public Safety.

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**Assembly Bill 1128**

Relating to compulsory school attendance through age 16.

By Representatives Kincaid, Menos, Jackamonis, Omernick and Dorff, co-sponsored by Senator Krueger.

To committee on Education.

**Assembly Bill 1129**

Relating to an income tax exemption for the first \$100 of year-end bonuses.

By Representative Kincaid.

To Joint Survey Committee on Tax Exemptions.

**Assembly Bill 1130**

Relating to permitting minors to enter Class "B" and "Class B" licensed premises to attend dances or practice marching or drilling.

By Representatives Potter and Otte.

To committee on Excise and Fees.

**Assembly Bill 1131**

Relating to permitting persons over 70 years of age to obtain a school bus operators license.

By Representatives Smith, Duren, Hasenohrl, D. Travis, Ulichny, Shoemaker, Omernick, Ward, Leopold, Gerlach and Dilweg, co-sponsored by Senators Offner, Braun, Lorge and McCallum.

To committee on Transportation.

**Assembly Bill 1132**

Relating to the determination of death.

By Representative Czerwinski.

To committee on Health and Social Services.

**Assembly Bill 1133**

Relating to immunity of health care providers for discontinuing medical treatment if the patient's brain irreversibly ceases all functioning.

By Representative Czerwinski.

To committee on Health and Social Services.

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ADMINISTRATIVE RULES

Read and referred:

**Clearinghouse Rule 79-21**

Relating to examination and licensure of veterinarians; certification of animal technicians.

Submitted by Veterinary Examining Board.

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To committee on Agriculture.

**Clearinghouse Rule 79-74**

Relating to group health insurance coverage for a surviving spouse and dependents of a deceased employe or annuitant.

Submitted by Department of Employee Trust Funds.

To committee on Health and Social Services.

**Clearinghouse Rule 79-75**

Relating to public access requirements for nursing homes.

Submitted by Department of Health and Social Services.

To committee on Health and Social Services.

**Clearinghouse Rule 80-1**

Relating to elderly and handicapped transportation programs for private, nonprofit organizations.

Submitted by Department of Transportation.

To committee on Transportation.

**Clearinghouse Rule 80-2**

Relating to restrictions on the Brule River in the Brule River State Forest.

Submitted by Department of Natural Resources.

To committee on Tourism, Recreation and Economic Development.

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COMMITTEE REPORTS

The committee on Energy reports and recommends:

**Assembly Bill 966**

Relating to creating a department of energy, and a division of public utility consumer affairs in the department of justice, reorganizing the public service commission and state energy functions, granting rule-making authority, making appropriations and providing a penalty.

Adoption of assembly substitute amendment 1:

Ayes: (4) Noes: (2)

Passage: Ayes: (4) Noes: (2)

To Joint Committee on Finance.

SHARON METZ

Chairperson

The committee on Highways reports and recommends:

**Assembly Bill 928**

Relating to authorizing the department of transportation to erect and maintain standardized signs on federal-aid primary highways providing directions to food, lodging and recreational facilities.

Passage: Ayes: (9) Noes: (0) Not Voting: (1)  
To Joint Committee on Finance.

**Assembly Bill 951**

Relating to a sticker system for identifying vehicles involved in accidents and providing a penalty.

Passage: Ayes: (10) Noes: (0)  
To committee on Rules.

**Assembly Bill 968**

Relating to credit received upon registration of a replacement motor truck at 6,000 pounds or less.

Passage: Ayes: (10) Noes: (0)  
To Joint Committee on Finance.

**Assembly Bill 999**

Relating to payment of just compensation for removal of nonconforming advertising signs.

Passage: Ayes: (10) Noes: (0)  
To committee on Rules.

**Assembly Bill 1025**

Relating to permitting local authorities to reduce speed limits.

Passage: Ayes: (10) Noes: (0)  
To committee on Rules.

**Assembly Bill 1039**

Relating to the use of flashing red lamps on special vehicles.

Passage: Ayes: (10) Noes: (1)  
To committee on Rules.

**Assembly Bill 1062**

Relating to imposing restrictions on the operation of special interest vehicles during winter months, authorizing temporary permits for such operation and providing a penalty.

Passage: Ayes: (11) Noes: (0)  
To committee on Rules.

**Assembly Bill 1072**

Relating to adult sponsor's signature on driver's license applications by persons under age 18.

Passage: Ayes: (11) Noes: (0)

To committee on Rules.

**Senate Bill 93**

Relating to exempting private motor carriers and persons engaged in leasing trailers to private motor carriers from the requirement of obtaining a permit for certain trailers.

Concurrence: Ayes: (10) Noes: (0)

To committee on Rules.

**Senate Bill 241**

Relating to right and left turn on red signals and providing a penalty.

Concurrence: Ayes: (6) Noes: (4)

To committee on Rules.

CLETUS VANDERPERREN

Chairperson

The Joint Committee for Review of Administrative Rules reports and recommends:

**Clearinghouse Rule 79-17**

Relating to minimum wages for seasonal, recreational or educational camps and for caddies, maximum hours of work in amusement or recreational establishments and minimum project costs.

Nonconcurrence in Labor committee's action on IND 72.07 (3)(a) and (b): Ayes: (7) Noes: (1)

Nonconcurrence in Labor committee's action on IND 72.08: Ayes: (7) Noes: (1)

Nonconcurrence in Labor committee's action on IND 74.04(9): Ayes: (7) Noes: (1)

WILLIAM ROGERS

Assembly Chairperson

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COMMUNICATIONS

Notice of Intent received from Division of Health, Department of Health and Social Services to apply for Federal Assistance for Childhood Lead Poisoning Prevention.

Comments due by January 11, 1980.

To committee on Health and Social Services.

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Summary of Requests for Formal Opinions

Summary: Does sec. 941.23, which makes carrying a concealed weapon a crime, apply to circuit judges?

Opinion ID Number: F79121401

Requested by: Supreme Court

Assigned to: Mr. Haag

Estimated Date of Issuance: March 14, 1980

To committee on Criminal Justice and Public Safety.

Summary: May a nurse employed by a hospital dispense drugs to patients?

Opinion ID Number: F79122601

Requested by: Pharmacy Examining Board

Assigned to: Mr. Altman

Estimated Date of Issuance: March 26, 1980

To committee on Health and Social Services.

Summary: Under employment regulations act are the state and counties included in definition of employer?

Opinion ID Number: F80010201

Requested by: Department of Industry, Labor and Human Relations

Assigned to: Mr. Rice's unit

Estimated Date of Issuance: April 2, 1980

To committee on Labor.

Summary: Is sec. 40.96 (3), Stats., effective to court of appeals judges when a circuit judge starts a new term?

Opinion ID Number: F79103101

Requested by: Supreme Court

Assigned to: Mr. Schmidt

Estimated Date of Issuance: January 31, 1980

To committee on Judiciary.



In accordance with Joint Rule 81 (2), the Legislature will meet in Extraordinary Session commencing at 10:00 a.m., January 22, 1980, and ending on January 26, 1980, for the purpose of taking action on the following bills:

**Assembly Bill 8**

Relating to battery to persons 62 years of age or older and providing a penalty.

By Representatives Hauke, Hephner, Murray, Behnke, Barczak, Andrea, Wood, Schneider, Dorff, Potter, Shoemaker, Everson, McClain, Rogers, Lallensack, Hasenohrl, Menos, Swoboda, Rooney, Medinger, Gerlach, Vanderperren, Becker, Tesmer, Rutkowski, Wahner, Shabaz, Goodrich, Schmidt, Snyder, Tregoning, Ellis, Opitz, Porter, Bradley, Ladwig, Klicka, Luckhardt, Thompson, DeLong, Matty, Pabst, Leopold, Merkt and Lingren, co-sponsored by Senator Kleczka.

**Assembly Bill 77**

Relating to prohibiting possession of a dangerous weapon by a convicted felon and providing a penalty.

By Representatives Klicka, Hopkins, Lewis, Lewison, Porter, Gagin, Schmidt and Merkt.

**Assembly Bill 169**

Relating to domestic abuse, creating a council on domestic abuse, creating an appropriation and providing penalties.

By Legislative Council.

**Assembly Bill 413**

Relating to committing a crime with a dangerous weapon and providing a penalty.

By Representatives Rutkowski, Plewa, Vanderperren, Jackamonis, Potter, Shoemaker, Medinger, Leopold, Metz, D. Travis, Quackenbush, Flintrop, Menos, Kincaid, Schmidt, Ladwig, Lingren, Everson, Helbach, Lorman, Tuczynski, Roberts, Gerlach, Barczak, Rooney, Prosser and Ferrall, co-sponsored by Senators Adelman, Moody, Offner, Strohl, Lasee, Cullen and Theno.

**Assembly Bill 596**

Relating to exempting solar energy home heating systems and electricity generating devices from the property tax.

By Representatives Hasenohrl, Vanderperren, Kincaid, Metz, Becker, Helbach, Potter, Medinger, Kedrowski, Gerlach, Ferrall, Murray, Tuczynski and Wahner, co-sponsored by Senators Adelman, Van Sistine and Berger.

**Assembly Bill 636**

Relating to revisions of the alternative energy system tax credit, making an appropriation and providing penalties.

By Representatives Gerlach, Metz, Clarenbach, Jackamonis, Andrea, Leopold, Medinger, Ferrall, Thompson, Behnke, Lingren, Potter, Munts, McClain, Flintrop, Duren, Omernick, Porter, Merkt, Fischer, Laatsch, Rutkowski, Lorman and Plewa, co-sponsored by Senators Braun, Berger, Swan and Harnisch.

**Assembly Bill 732**

Relating to requiring payment of restitution as a requirement of probation.

By Representatives Jackamonis, Lingren, D. Travis, Wahner, Rutkowski, Tuczynski, Wood, Behnke, Kincaid, Becker, Andrea, Shoemaker, Potter, Klicka, Ladwig, Omernick, Plewa, Rooney, Snyder, Gerlach, Conradt, Bradley, Matty, Dorff, Duren, Schmidt, Quackenbush, Laatsch, Menos, Dilweg, Roberts, Shabaz, Lorman, Norquist, Pabst, Metz and R. Travis, co-sponsored by Senators Roshell, Berger, Moody, Cullen, Braun, Theno, Strohl and Johnston.

**Assembly Bill 749**

Relating to revising conditions of bail.

By Representatives Rutkowski, Prosser, Jackamonis, Ferrall, Hauke, Menos, Leopold, Potter, Gerlach, Thompson, Flintrop, McClain, Omernick, Medinger, Wahner, Metz, Wagner, Ladwig, Young and Luckhardt, co-sponsored by Senators Bablitch, Radosevich and Strohl.

**Assembly Bill 777**

Relating to creating various alternative energy incentives, making appropriations and granting rule-making authority.

By Representatives Ferrall, Metz, Wahner, Kedrowski, Thompson, Jackamonis, Rooney, Rutkowski, Czerwinski, Gerlach, Lingren, Soucie, Flintrop, Shoemaker, Ward, Radtke, Otte, Laatsch, Omernick, Munts, Loftus, Miller, Ulichny, Broydrick, Schneider, Tesmer, Leopold, Wagner, Helbach, Kirby, Potter, Schmidt, Bradley, Conradt, Lewison, Gagin, Harer, Dorff, Tuczynski, Wood, Fischer and Plewa, co-sponsored by Senators Moody, Bear, Radosevich, Risser, Berger, Braun, Thompson and Strohl.

**Assembly Bill 840**

Relating to establishing and enforcing energy efficiency standards for air conditioners, requiring a consumer energy information pamphlet, granting rule-making authority and providing a penalty.

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By Representatives Munts, Gerlach, Wahner, Metz, Loftus, Flintrop, McClain, Kirby, Rutkowski, Coggs, Miller, Medinger, Broydrick, Becker, Otte, Ulichny, Jackamonis and Lorman, co-sponsored by Senators Flynn, Braun, Berger and Risser.

### **Assembly Bill 883**

Relating to duration of dispositional orders for children adjudged delinquent whose legal custody has been transferred to the department of health and social services.

By Legislative Council.

### **Assembly Bill 966**

Relating to creating a department of energy, and a division of public utility consumer affairs in the department of justice, reorganizing the public service commission and state energy functions, granting rule-making authority, making appropriations and providing a penalty.

By committee on Energy, by request of Governor Lee Sherman Dreyfus.

### **Assembly Bill 1043**

Relating to rights of victims and witnesses of crimes, providing rule-making authority, and providing a penalty and making an appropriation.

By Representatives Ulichny, Jackamonis, Kincaid, McClain, Hauke, D. Travis, Metz, Soucie, Becker, Flintrop, Lingren, Loftus, Lee, Munts, Johnson, Wahner, Kirby, Tuczynski, Barczak, Tesmer, Czerwinski, Dorff, Otte, Behnke, Rogers, Potter, Rooney, Robertson, Byers, Larson, Harsdorf, McEssy, DeLong, Ferrall, Kedrowski, Coggs, Miller, Shoemaker, Leopold, Broydrick, Ward, Andrea, Vanderperren, Menos, Swoboda, Medinger, Norquist, Plewa, Hasenohrl, Helbach, Rutkowski, Ladwig, Lewison, Conratt, Bradley, Gagin, Ellis, Paulson and Radtke, co-sponsored by Senators Flynn, Adelman, Moody, Maurer, Kleczka, Strohl, Offner, Bablitch, Frank, Swan, Harnisch, Berger, Van Sistine, Braun, Roshell, Radosevich, Thompson, Cullen, Johnston, Goyke, Risser, Bear, Theno, Chilsen, Kreul and Hanaway.

### **Assembly Bill 1065**

Relating to injury by improper use of a noxious substance and providing a penalty.

By Representatives Matty, Menos, Nelsen, Lewison, Schmidt, Donoghue, Young, Klicka, Omernick, and Thompson, co-sponsored by Senators Hanaway and Bear.

**Assembly Bill 1116**

Relating to restricting ownership of short-barreled shotguns or short-barreled rifles, disposal of seized weapons and providing a penalty.

By Representatives Prosser, McClain, Thompson, Ferrall, Rutkowski, Donoghue and Robertson.

**Senate Bill 87**

Relating to prohibiting courts from placing persons convicted of first-degree murder on probation.

By Senators Murphy, Krueger, Lasee, Kreul, Roshell, Lorge and Theno; co-sponsored by Representatives Snyder, Opitz, Shabaz, Klicka, Luckhardt, Hopkins, Andrea, DeLong, Lewis, Lallensack, Behnke, Kincaid, Thompson and Helfbach.

**Senate Bill 339**

Relating to commitment and treatment of persons convicted of sex crimes.

By Senators Adelman, Risser and Murphy; co-sponsored by Representatives McClain, Ulichny, Lee and Jackamonis.

**Senate Bill 344**

Relating to various changes in crime victims compensation.

By Senators Flynn, Moody, Braun, Risser, Bear, Berger, Harnisch, Adelman, Thompson and Cullen; co-sponsored by Representatives Ulichny, Munts, Tuczynski, Leopold, Wahner, Lorman, Metz, Ferrall, Lee, D. Travis, Kedrowski and Smith.

**Senate Bill 345**

Relating to crime victims compensation, creating a crime victims compensation board and making appropriations.

By Senators Flynn, Moody, Braun, Risser, Bear, Berger, Adelman and Thompson; co-sponsored by Representatives Ulichny, Munts, Metz, Tuczynski, Leopold, Ferrall, Rooney, Wahner, McClain, D. Travis, Kedrowski, Smith and Lorman.

**Senate Bill 500**

Relating to energy resources, granting rule-making authority, making appropriations and providing penalties.

By Senate Select Energy Committee.

**Senate Bill 508**

Relating to restricting dangerous drugs and liquor in prisons and jails and providing penalties.

By Senators Hanaway, Lasee, Flynn, Adelman, McCallum, Chilsen, Berger, Radosevich and Johnston; co-sponsored by

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Representatives Young, Schmidt, Hasenohrl, Laatsch, Stitt, Robertson, Nelsen, DeLong, Lingren, Klicka, Conradt and Prosser.

**Senate Bill 509**

Relating to taking hostages and providing a penalty.

By Senators Hanaway, Johnston, Adelman, Lasee, McCallum, Chilsen, Flynn, Berger, Cullen and Radosevich; co-sponsored by Representatives Young, Schmidt, McEssy, Medinger, Laatsch, Stitt, Nelsen, DeLong, Lingren, Klicka, Conradt and Prosser.